

WESTERN DISTRICT OF LOUISIANA

SHREVEPORT DIVISION

UNITED STATES OF AMERICA	*	CRIMINAL NO.: 5:10-CR-00154
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	*	18 U.S.C. § 371 Conspiracy
VERSUS	*	18 U.S.C. § 152 Bankruptcy Fraud
	*	
	*	DISTRICT JUDGE HICKS
JOHNNY RAY HEMPHILL	*	MAGISTRATE JUDGE HORNSBY

JOINT NEUTRAL STATEMENT

The defendant is JOHNNY RAY HEMPHILL. He is charged in the Indictment with one count of Conspiracy to Commit Bankruptcy Fraud in violation of Title 18, United States Code, Section 371 and ten counts of Bankruptcy Fraud in violation of Title 18, United States Code, Section 152 in connection with his and his wife's filing of a Chapter 7 Bankruptcy Petition on April 16, 2004, and related Bankruptcy Court documents and proceedings in the Western District of Louisiana.

Count 1 of the Indictment charges that beginning from on or about April 15, 2003 and continuing to on or about May 25, 2005, JOHNNY RAY HEMPHILL conspired to commit an offense or offenses against the United States, that is: Bankruptcy Fraud, in violation of Title 18 United States Code, Section 152 and Section 157. The Indictment charges that the object of the conspiracy was to present false information to deceive and defraud and to conceal assets and property and to transfer assets previously owned by the Defendant from the bankruptcy court, the trustee of the bankruptcy court, the case trustee and the creditors in the bankruptcy proceedings; and to convert and use these assets and property for the

benefit of JOHNNY RAY HEMPHILL and others.

Count 2 of the Indictment charges that JOHNNY RAY HEMPHILL violated Title 18, United States Code, Section 152(1) by knowingly and fraudulently concealing from the primary creditor of this bankruptcy, other creditors, the case trustee, and the United States Trustee, and other officers of the court, property of the estate of the debtors, including his ownership and interests in property including the house and land located at municipal address 950 Ockley Drive in Shreveport, Louisiana, money in a total sum of approximately \$67,696.47 which he transferred to another person who was a relative and family member, and money he received as a result of filing his and his wife's federal tax return on April 15, 2004, thereby defrauding the creditors, case trustee and Trustee in Bankruptcy.

Counts 3 through 9 of the Indictment charge that the defendant, JOHNNY RAY HEMPHILL, violated Title 18, United States Code, Section 152(3) by making false declarations, certifications, verifications, and written statements in connection with his Bankruptcy case petition, attachments to his petition and other documents and filings, and that he made false oral statements and gave false testimony under oath during the Bankruptcy proceedings.

Counts 10 and 11 of the Indictment charge that the defendant, JOHNNY RAY HEMPHILL, violated Title 18, United States Code, Section 152(2) by making false statements under oath at and during Bankruptcy Court proceedings.

The defendant, JOHNNY RAY HEMPHILL, has entered a "not guilty" plea as to each count and thus, the issue is brought before you for your determination.

Read, agreed and signed.

STEPHANIE A. FINLEY
UNITED STATES ATTORNEY

By: *Robert W. Gillespie, Jr.*
ROBERT W. GILLESPIE, JR.
Assistant United States Attorney

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Attorney for the Defendant